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7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
9 **(HONORABLE JOHN A. HOUSTON)**

10 UNITED STATES OF AMERICA,) CASE NO. 07cr3190-JAH
11)
12 Plaintiff,) DATE: February 19, 2008
13 v.) TIME: 8:30 a.m.
14 **JOSE RAYMUNDO CONTRERAS-HERNANDEZ,**) NOTICE OF MOTIONS AND MOTIONS FOR AN
15 Defendant.) ORDER TO:
16) 1. DISMISS THE INDICTMENT DUE TO
INVALID DEPORTATION.

17 TO: KAREN P. HEWITT, INTERIM UNITED STATES ATTORNEY, AND
18 PETER MAZZA, ASSISTANT UNITED STATES ATTORNEY:

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20 PLEASE TAKE NOTICE that on the above-captioned date and time, or as soon thereafter as counsel
21 may be heard, Jose Raymundo Contreras-Hernandez, by and through counsel, Candis Mitchell and Federal
22 Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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MOTIONS

Mr. Jose Raymundo Contreras-Hernandez, by and through counsel, Candis Mitchell, and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order to:

1. Dismiss count the indictment due to invalid deportation.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to this Court's attention at the time of the hearing on these motions.

Respectfully submitted,

Dated: February 5, 2008

s/ Candis Mitchell
CANDIS MITCHELL
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Contreras-Hernandez
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